

08/808827

PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

**Complete if Known**

Application Number	08/808,827
Filing Date	February 28, 1997
First Named Inventor	Walter Henry Gunzburg
Examiner Name	Brusca, John S.
Art Unit	1631
Attorney Docket No.	1406/194 (formerly GSF97-01A)

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
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Deposit  
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50-0426

Jenkins, Wilson &amp; Taylor

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	475.00
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	385.00
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SEP 14 2004

TECH CENTER 1600/2900

**SUBMITTED BY**

Name (Print/Type)	Arles A. Taylor, Jr.	Registration No. (Attorney/Agent)	39,395	Telephone	919-493-8000
Signature	<i>Arles A. Taylor, Jr.</i>	Date	September 2, 2004		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

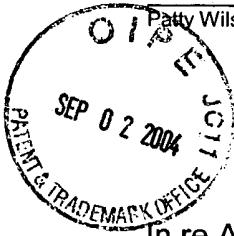
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*Patty Wilson*

Patty Wilson



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Gunzburg and Saller

Group Art Unit: 1631

**Serial No.: 08/808,827**

Examiner: Brusca, John S.

Filed: February 28, 1997

Docket No.: 1406/194  
(Formerly GSF97-01A)

Confirmation No.: 6837

For: NON SELF-INACTIVATING, EXPRESSION TARGETED RETROVIRAL  
VECTORS

\*\*\*\*\*

**REQUEST FOR CHANGE FROM LARGE ENTITY**  
**STATUS TO SMALL ENTITY STATUS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-noted U.S. patent application was initially filed as a "large entity". However, since the filing of the application, all rights in the application have been assigned to GSF-Forschungszentrum fuer Umwelt und Gesundheit GmbH, a nonprofit scientific organization having its place of business at Ingolstadter Landstrasse 1, D-85764 Neuherberg, Germany. This assignment was sent by facsimile to the Assignment Division on July 8, 2004. A true and accurate copy of the Assignment and Notice of Recordation is attached herewith as **Exhibit A**. Accordingly, please change the status of the current pending application to "small entity".

Please contact the undersigned attorney should there be any questions.

SEP 14 2004

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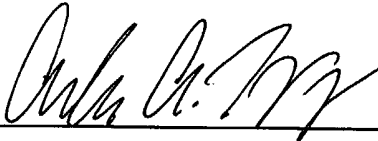
DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: 09/02/2004 By: \_\_\_\_\_



Arles A. Taylor, Jr.  
Registration No. 39,395

1406/194                      AAT/CP

Customer No:              25297

# Facsimile Transmission

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**FAX**

**From:** Name: USPTO ASSIGNMENT DIVISION  
Fax Number:  
Voice Phone: 703-308-9723

**To:** Name: HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
Company: ANNE J. COLLINS, ESQ.  
Fax Number: 19783410242  
Voice Phone:

## Fax Notes:

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Pg#	Description
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1	Cover Page
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2	293.TXT
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4	Document 1, Batch 329575
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**RECEIVED****JUL 12 2004****HAMILTON, BROOK,  
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Date and time of transmission: Friday, July 09, 2004 6:31:32 PM  
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\*700097250A\*

JULY 09, 2004

PTAS

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
ANNE J. COLLINS, ESQ.  
530 VIRGINIA ROAD, P.O. BOX 9133  
CONCORD, MA 01742-9133

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/08/2004

REEL/FRAME: 014829/0532

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 2316.1001-000

ASSIGNOR:

BAVARIAN NORDIC RESEARCH INSTITUTE  
A/S

DOC DATE: 10/16/1997

ASSIGNEE:

GSF-FORSCHUNGSZENTRUM FUR UMWELT  
UND GESUNDHEIT GMBH  
INGOLSTADTER LANDSTRASSE 1  
NEUHERBERG, FED REP GERMANY D-85764

SERIAL NUMBER: 08808827

FILING DATE: 02/28/1997

PATENT NUMBER:

ISSUE DATE:

TITLE: NON SELF-INACTIVATING, EXPRESSION TARGETED RETROVIRAL VECTORS

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014829/0532 PAGE 2

SHAREILL COLES, EXAMINER  
ASSIGNMENT DIVISION  
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Jul-08-04 12:12pm From:HBSR

07/08/2004 1-878-341-0242

T-816 P.02/03 F-427

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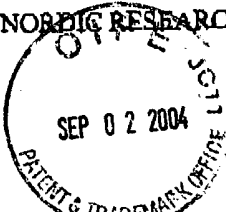
700097250

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

Docket No.: 2316.1001-000

To the Director of the U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof

1 Name of conveying party(ies)

BAVARIAN NORDIC RESEARCH INSTITUTE  
A/SAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2 Name and address of receiving party(ies)

GSF-FORSCHUNGSZENTRUM FÜR UMWELT  
Name UND GESUNDHEIT GMBH

Internal Address: \_\_\_\_\_

Street Address: INGOLSTÄDTER LANDSTRASSE 1

City: NEUHERBERG State GERMANY ZIP D-85764

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3 Nature of conveyance

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: October 16, 1997

4 Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No (s)

08/808,827

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No5 Name and address of party to whom correspondence  
concerning document should be mailed:

Name: Anne J. Collins, Esq.

Internal Address: \_\_\_\_\_

Hamilton, Brook, Smith &amp; Reynolds, P.C.

Street Address: 530 Virginia Road, P.O. Box 9133

City: Concord State: MA ZIP 01742-9133

6. Total number of applications and patents involved. [1]

7. Total Fee (37 C.F.R. 3.41)... \$ 40.00

- ☐ Enclosed  
☒ Authorized to charge any deficiencies or credit any  
overpayment to deposit account number 08-0380  
☒ Authorization to charge deposit account number 08-0380

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8. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original  
document

Anne J. Collins

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: [2]

SEP 14 2004  
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C1H \$40.00 080380 08008227

BAVARIAN NORDIC RESEARCH INSTITUTE GmbH

ASSIGNMENT

We, **BAVARIAN NORDIC RESEARCH INSTITUTE A/S**, a corporation of Denmark, having its place of business at 26 B Smedeland, DK-2600 Glostrup, Denmark do hereby declare that we have assigned and do hereby assign US Patent application Serial No. 08/808827 based on PCT/EP95/03445 filed 9/1/95, which claims priority to Danisch Application No. 1017/94 filed 9/2/94 to **GSF-Forschungszentrum für Umwelt und Gesundheit GmbH**, a corporation of Germany, having its place of business at Ingolstädter Landstrasse 1, D-85764 Neuherberg, Germany, on October 10, 1997 in accordance with this assignment.

Date

Oct 16, 1997

**BAVARIAN NORDIC RESEARCH INSTITUTE A/S,**

BY: \_\_\_\_\_

Name: Peter Wulff

Title: President

**BAVARIAN NORDIC RESEARCH INSTITUTE GmbH**

Frankfurter Ring 193 a, D-80807 München, Phone: +49-(0)89-324752-0 Fax: +49-(0)89-324752-44  
Geschäftsführer: Peter Wulff UST-Id-Nr.: DE 178 111 874, Reg.: Amtsgericht München, HRB 112242

JENKINS  
WILSON  
& TAYLOR

Patent Attorneys

SEP 02 2004

September 2, 2004

RICHARD E. JENKINS

JEFFREY L. WILSON

ARLES A. TAYLOR, JR.

GREGORY A. HUNT

E. ERIC MILLS

BENTLEY J. OLIVE

MICHAEL J. CROWLEY

\*CHRIS PERKINS, PH.D.

\*\*JAMES DALY IV, PH.D.

JEFFREY CHILDERS, PH.D.

OF COUNSEL  
SOROJINI BISWAS

"Express Mail" mailing number EV501976674US

Date of Deposit September 2, 2004

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Patty Wilson

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

08/808827

Re: U.S. Patent Application Serial No. ~~09/808,827~~ for  
NON SELF-INACTIVATING, EXPRESSION TARGETED  
RETROVIRAL VECTORS  
Our Ref. No. 1406/194 (formerly GSF97-01A)

Sir:

Please find enclosed the following:

1. Request for Continued Examination (RCE) Transmittal (1 pg);
2. Fee Transmittal Form (1 pg) in duplicate;
3. Amendment (36 pgs);
4. Information Disclosure Statement (2 pgs);
5. PTO-1449 (1 pg) in duplicate;
6. Copy of one (1) reference;
7. Request for Change from Large Entity Status to Small Entity Status (2 pgs);
8. A return-receipt postcard to be returned to our offices with the U.S. Patent and Trademark date stamp thereon; and

\*LICENSED ONLY IN CA

\*\*LICENSED ONLY IN NY

tel 919.493.8000  
fax 919.419.0383

Jenkins, Wilson & Taylor, P.A.  
JenkinsWilsonTaylor.com

University Tower, Suite 1400 | 3100 Tower Boulevard | Durham, North Carolina 27707

Commissioner for Patents  
September 2, 2004  
Page 2

9. A Certificate of Express Mail No.: EV501976674US.

Please contact our offices if there are any questions with respect to this matter.

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.



Arles A. Taylor, Jr.  
Registration No.: 39,395

AAT/ptw

Enclosures

Customer No: 25297